

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

UNITED STATES OF AMERICA)
) CASE NO. CR 218-014
v.)
)
EDRIN TEMPLE)
)

NOTICE OF INTENT TO INTRODUCE EVIDENCE PURSUANT TO
FEDERAL RULE OF EVIDENCE 404(b) AS TO
DEFENDANT EDRIN TEMPLE

The United States of America, by and through Bobby L. Christine, United States Attorney for the Southern District of Georgia, hereby provides the following notice pursuant to Fed. R. Evid. 404(b) and SDGA Local Rule 16.2:

1. Pursuant to Fed. R. Evid. 404(b) and SDGA Local Rule 16.2, the government intends to offer during its case-in-chief a certified copy of the following prior felony conviction of Defendant Edrin Temple:

- Sale of a Controlled Substance, McIntosh County Superior Court, Charge No. 00065935870003, on September 8, 2000;
- Purchase, Possession, Manufacture, Distribution, or Sale of Marijuana, Brunswick Municipal Court, Case No. 001280, on April 6, 2005;
- Possession of Cocaine with Intent to Distribute, McIntosh County Superior Court, Case No. 14CR00128, on November 29, 2016.

2. Rule 404(b) allows for the admission of evidence of other crimes, wrongs, or acts as proof of motive, opportunity, intent, preparation, plan, knowledge, identity,

or absence of mistake or accident. Fed. R. Evid. 404(b). *See also United States v. Baker*, 732 F.3d 1189, 1204 (11th Cir. 2005); *United States v. Taylor*, 17 F.3d 333 (11th Cir. 1994); *United States v. Beechum*, 582 F.2d 898 (5th Cir. 1978); *United States v. McMahon*, 592 F.2d 871 (5th Cir. 1979). The prior conviction shown above are probative of intent, knowledge, motive, and absence of mistake and its probative value outweighs the danger of unfair prejudice. The convictions are also relevant to an issue other than the character of the defendant. The prior convictions constituting extrinsic evidence involve similar elements and state of mind as the drug offenses indicted in Counts One and Nineteen of the Indictment. The convictions' finality establish that the defendant committed the extrinsic offenses.

Respectfully submitted,

BOBBY L. CHRISTINE
United States Attorney

By: s/ Matthew A. Josephson
Assistant United States Attorney
GA Bar Number 367216

P.O. Box 8970
Savannah, Georgia, 31412
912-652-4422.

CERTIFICATE OF SERVICE

The undersigned AUSA hereby certifies that a copy of this pleading has been filed in the ECF system and therefore served on the defendant.

Respectfully submitted,

BOBBY L. CHRISTINE
United States Attorney

By: s/ Matthew A. Josephson
Assistant United States Attorney
GA Bar Number 367216

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